

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

AVR GROUP, LLC, TRIDENT ASSET
MANAGEMENT, INC., MICHAEL
DZIURGOT, individually and as the
representatives of a class of similarly-
situated persons,

Plaintiff,

v.

ALEBRIJE ENTERTAINMENT LLC,
CRAIG COLE, MATTHEW COLE,
GUSTAVO MONTAUDON, and John
Does 1-10,

Defendants.

**ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE, REQUIRING MEDIATION,
AND REFERRING CERTAIN MATTERS TO MAGISTRATE JUDGE**

THIS CAUSE is set for trial during the Court's trial calendar beginning on September ___, 2025, at 9:00 a.m. Calendar call will be held at ___ on _____ 2025. Unless instructed otherwise by subsequent order, the trial and all other proceedings in this case shall be conducted in U.S. Federal Building and Courthouse, 299 East Broward Boulevard, Courtroom 202A, Fort Lauderdale, Florida 33301.

This case is assigned to a **Standard Track** pursuant to Local Rule 16.1(a).

The Parties shall adhere to the following schedule:

Thirty (30) days from days from ruling on pending Motions to Dismiss. The parties shall select a mediator pursuant to Local Rule 16.2, shall schedule a time, date and place for mediation, and shall jointly file a proposed order scheduling mediation in the form specified on the Court's website, <http://www.flstd.uscourts.gov>. If the parties cannot agree on a mediator, they shall notify the Clerk in writing as soon as possible, and the Clerk shall designate a certified mediator on a blind rotation basis. Counsel for all parties shall familiarize themselves with and adhere to all provisions of Local Rule 16.2. Within seven (7) days of mediation, the parties are required to file a mediation report with the Court. Additionally, pursuant to the procedures outlined in the CM/ECF Administrative Procedures, the proposed order is to be emailed to leibowitz@flstd.uscourts.gov in Word format.

November 8, 2024. All motions to amend pleadings or join parties are filed.

November 22, 2024. Parties exchange expert witness summaries or reports (if any).

January 17, 2025. Parties exchange rebuttal expert witness summaries or reports (if any).

March 14, 2025. All discovery, including expert discovery (if any), is completed.

March 14, 2025. Parties must have completed mediation and filed a mediation report.

April 11, 2025. All pre-trial motions and Daubert motions, if any (which include motions to strike experts) are filed. Each party is limited to filing one Daubert motion. If all evidentiary issues cannot be addressed in a 20-page memorandum, leave to exceed the page limit will be granted. The parties are reminded that Daubert motions must contain the Local Rule 7.1(a)(3) certification.

This deadline includes all dispositive motions. The Court hereby reminds the parties that strict compliance with Local Rule 56.1 is mandated. In addition, any motion for summary judgment accompanied by more than three (3) exhibits shall also be accompanied by a separately-filed index of exhibits. Each entry shall provide a title and brief description of the document contained therein, and, if available, reference to the docket entry under which the document was filed—e.g. “ECF No. [50-2].”

July 18, 2025. Parties submit joint pre-trial stipulation, proposed jury instructions and verdict form, or proposed findings of fact and conclusions of law, as applicable, and motions in limine (other than Daubert motions). Each party is limited to filing one motion in limine. If all evidentiary issues cannot be addressed in a 20-page memorandum, leave to exceed the page limit will be granted. The parties are reminded that motions in limine must contain the Local Rule 7.1(a)(3) certification.

Jury Instructions and Verdict Form. The parties shall submit their proposed jury instructions and verdict form jointly, although they need not agree on each proposed instruction. Where the parties do not agree on a proposed instruction, that instruction shall be set forth in bold type. Instructions proposed only by a plaintiff shall be underlined. Instructions proposed only by a defendant shall be italicized. Every instruction must be supported by citation to authority. The parties shall use as a guide the Eleventh Circuit Pattern Jury Instructions for Civil Cases, including the directions to counsel contained therein. Proposed jury instructions and verdict form, in typed form, including substantive charges and defenses, shall be submitted to the Court prior to calendar

call, in Word format, via e-mail to leibowitz@flsd.uscourts.gov. Instructions for filing proposed documents may be viewed at <http://www.flsd.uscourts.gov>.

Referral to Magistrate Judge. Pursuant to 28 U.S.C. § 636 and this District's Magistrate Judge Rules, all discovery matters are referred to Magistrate Judge Jonathan Goodman. Furthermore, pursuant to 28 U.S.C. § 636(c)(1), the parties do not consent to trial or final disposition by Magistrate Judge Jonathan Goodman.

Discovery. The parties may stipulate to extend the time to answer interrogatories, produce documents, and answer requests for admissions. The parties shall not file with the Court notices or motions memorializing any such stipulation unless the stipulation interferes with the deadlines set forth above. Stipulations that would so interfere may be made only with the Court's approval. See FED. R. CIV. P. 29. In addition to the documents enumerated in Local Rule 26.1(b), the parties shall not file notices of deposition with the Court. Strict compliance with the Local Rules is expected, particularly with regard to motion practice. See S.D. FLA. L.R. 7.1.

Discovery Disputes. Magistrate Judge Jonathan Goodman's *Discovery Procedures* are hereby incorporated by reference in this Order.

DONE AND ORDERED in Miami, Florida, this XXth day of XXXXX, 2024

DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record